



IT IS ORDERED as set forth below:

Date: December 13, 2018

A handwritten signature in blue ink, reading "Sage M. Sigler", is positioned below the court seal.

Sage M. Sigler  
U.S. Bankruptcy Court Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	§	CHAPTER 7
	§	
AMERICAN UNDERWRITING	§	Case No. 18-58406-SMS
SERVICES, LLC,	§	
	§	
<u>Debtor.</u>	§	

**BAR ORDER ESTABLISHING DEADLINE FOR FILING REQUESTS  
FOR PAYMENT OF ADMINISTRATIVE EXPENSE CLAIMS,  
INCLUDING CLAIMS PURSUANT TO 11 U.S.C. § 503(B)(9)**

**THIS IS A BAR ORDER**

**TO: ALL PARTIES ASSERTING AN ADMINISTRATIVE EXPENSE CLAIM  
AGAINST AMERICAN UNDERWRITING SERVICES, LLC**

PLEASE TAKE NOTICE that S. Gregory Hays, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate (the “Estate”) of American Underwriting Services, LLC, Debtor (the “Debtor”) in the above captioned case (the “Case”) has filed a *Motion to Set Administrative Claims Bar Date* [Doc. No. 162] (the “Motion”). In the Motion, the Trustee requests the entry of an order establishing a bar date for the filing of a request for allowance and payment of administrative expenses claims under 11 U.S.C. § 503, including under 11 U.S.C. § 503(b)(9), in

the Chapter 11 or Chapter 7 Case of the Debtor other than requests by the Trustee, by professionals of the Trustee or for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4).

Upon consideration of the Motion and the matters of record in this Case and it appearing that: 1) the Court has jurisdiction over this proceeding; 2) this is a core proceeding; 3) notice of this Motion has been provided to the proper parties; 4) no further notice or opportunity for a hearing is necessary; 5) the relief sought in the Motion is in the best interests of the Debtor, its Estate, and its creditors; and 6) good and sufficient cause exists for such relief, the Court finds that it is appropriate to issue a bar order with respect to the filing of claims entitled to priority pursuant to 11 U.S.C. § 503 in the Chapter 11 or Chapter 7 Case of the Debtor other than with respect to claims of the Trustee, claims of professionals of the Trustee, or requests for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4).

Accordingly, for good cause shown, it is hereby ORDERED as follows:

1. The Motion is GRANTED.
2. Other than the Trustee, professionals of the Trustee, parties submitting a request for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4) and as otherwise set forth below in Paragraph 5 of this Order, all individuals and entities who have or assert any claims against the Debtor pursuant to 11 U.S.C. § 503, including under 11 U.S.C. 503(b)(9) (the “**Administrative Claims**”), must file a request for allowance of such claims by **January 31, 2019** (the “**Administrative Claims Bar Date**”) and the terms of this Order.
3. All requests for allowance of Administrative Claims addressed by this Order must be filed **no later than the Administrative Claims Bar Date of January 31, 2019**. The Administrative Claims Bar Date is the last day for a claimant, other than the Trustee, any

professionals of the Trustee, parties submitting a request for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4), an entity whose administrative expense claim has been previously allowed by a final order of the Court, or as otherwise set forth below in Paragraph 5 of this Order, to file a request for allowance of any Administrative Claims against the Estate or the Debtor under 11 U.S.C. § 503.

**4. Any claimant, other than the Trustee, any professionals of the Trustee, parties submitting a request for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4), an entity whose administrative expense claim has previously been allowed by a final order of the Court, or as otherwise set forth below in Paragraph 5 of this Order, who does not file a request for allowance of its Administrative Claims by the Administrative Claims Bar Date may be forever barred from any recovery for any such claim.**

5. This Order does not apply to any request: a) by the Trustee or professionals of the Trustee; b) for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4); or c) for allowance of an Administrative Claim that has already been properly filed in the Chapter 11 or Chapter 7 Case of the Debtor.

6. All parties, other than the Trustee, any professionals employed by the Trustee, parties submitting a request for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4), or any entity whose administrative expense claim has been previously allowed by a final order of the Court, having a claim against the Estate or the Debtor under 11 U.S.C. § 503 in the Chapter 11 or Chapter 7 Case shall file a request for allowance and payment of any Administrative Claims by the Administrative Claims Bar Date. To assert any Administrative Claims in the Case, claimants may use the Administrative Claim Form attached as

**Exhibit B** to the Motion (the “**Administrative Claim Form**”). The form of the Administrative Claim Form is approved.

7. Any request for allowance and payment of any Administrative Claims, other than claims of the Trustee or any professionals for the Trustee, a request for compensation and reimbursement of expenses under 11 U.S.C. §§ 330(a), 503(b)(2), and 503(b)(4), or an administrative claim of an entity that has been previously allowed by a final order of the Court, must: a) be an original signed writing, containing at least the same content as the Administrative Claim Form; b) include proper supporting documentation; and c) be filed no later than **5:00 p.m. Eastern Standard Time on January 31, 2019**, at the following address: **Office of the Clerk, Clerk, U. S. Bankruptcy Court for the Northern District of Georgia, Suite 1340, 75 Ted Turner Drive, SW, Atlanta Georgia 30303**. A copy of the completed request should also be mailed to counsel for the Trustee at the following address: Law Offices of Henry F. Sewell, Jr., LLC, c/o Henry F. Sewell, Jr., Esq., Buckhead Centre, 2964 Peachtree Road NW, Suite 555, Atlanta, GA 30305.

**ANY REQUEST FOR ALLOWANCE AND PAYMENT OF AN ADMINISTRATIVE EXPENSE CLAIM WILL BE DEEMED TIMELY FILED ONLY IF THE REQUEST IS ACTUALLY RECEIVED BY THE CLERK AT THE ABOVE ADDRESS NO LATER THAN THE TIME AND DATE SET OUT ABOVE. CLAIMANTS WHO HAVE ALREADY PROPERLY FILED AN ADMINISTRATIVE EXPENSE REQUEST ARE NOT REQUIRED BY THIS ORDER TO FILE ANOTHER REQUEST FOR PAYMENT.**

8. Any claimant required by this Order to file a request for allowance and payment of an Administrative Claim that fails to file such a request on or before the Administrative Claims Bar Date and any claimant who: a) files, or has already filed, a proof of claim that includes any Administrative Claim; and b) fails to file a separate request for payment of such administrative expense on or before the Administrative Claims Bar Date shall be forever barred, estopped, and

enjoined from asserting any administrative expense claims against the Estate that such claimants may have held as of the Administrative Claims Bar Date, and the Estate of the Debtor, the Debtor and its property shall be forever discharged from any and all indebtedness, liability, or obligation with respect to such administrative expense claim.

9. All parties reserve the right to review and object to any Administrative Claims that are filed.

10. Counsel for the Trustee is directed to serve a copy of this Order and the Administrative Claim Form on all known administrative claimants in the Case, all other known parties in interest who might assert an Administrative Claim against the Debtor, and on those parties in interest listed on the matrix of creditors in the Case.

**\*\*\* END OF ORDER \*\*\***

Prepared and Presented By:  
LAW OFFICES OF HENRY F. SEWELL JR., LLC

By: /s/ Henry F. Sewell, Jr.  
Henry F. Sewell, Jr.  
Georgia Bar No. 636265  
Law Offices of Henry F. Sewell, Jr., LLC  
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Counsel for the Chapter 7 Trustee

DISTRIBUTION LIST

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362 Richard B. Russell Federal Building  
75 Ted Turner Drive, SW  
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Two Paces West, Suite 200  
2727 Paces Ferry Road  
Atlanta, GA 30339

United States Bankruptcy Court  
Northern District of Georgia

In re:  
American Underwriting Services, LLC  
Debtor

Case No. 18-58406-sms  
Chapter 7

### CERTIFICATE OF NOTICE

District/off: 113E-9

User: kpc2  
Form ID: pdf526

Page 1 of 2  
Total Noticed: 1

Date Rcvd: Dec 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 15, 2018.

db #+American Underwriting Services, LLC, 1255 Roberts Blvd., Suite 102, Kennesaw, GA 30144,  
UNITED STATES 30144-7078

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 15, 2018

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 13, 2018 at the address(es) listed below:

A. Christian Wilson on behalf of Creditor US Premium Finance cwilson@simplawatlanta.com,  
sscheu@simplawatlanta.com  
Anna Mari Humnicky on behalf of Plaintiff American Underwriting Services, LLC  
ahumnicky@smallherrin.com,  
klemons@smallherrin.com;notices@nextchapterbk.com;lcarlton@smallherrin.com  
Anna Mari Humnicky on behalf of Debtor American Underwriting Services, LLC  
ahumnicky@smallherrin.com,  
klemons@smallherrin.com;notices@nextchapterbk.com;lcarlton@smallherrin.com  
Benjamin S. Klehr on behalf of Other Prof Kevin Van de Grift bklehr@smallherrin.com,  
klemons@smallherrin.com  
Benjamin S. Klehr on behalf of Plaintiff American Underwriting Services, LLC  
bklehr@smallherrin.com, klemons@smallherrin.com  
Benjamin S. Klehr on behalf of Debtor American Underwriting Services, LLC  
bklehr@smallherrin.com, klemons@smallherrin.com  
Brandon R Gossett on behalf of Creditor Brit Syndicates Limited brandon.gossett@clydeco.us,  
liz.king@clydeco.us  
Garrett A. Nail on behalf of Creditor American Inter-Fidelity Exchange  
garrett.nail@thompsonhine.com, kelly.thomas@thompsonhine.com;ECFDocket@Thompsonhine.com  
Gary W. Marsh on behalf of Defendant New York Marine and General Insurance Company  
Gary.Marsh@dentons.com, pam.matthews@dentons.com  
Gary W. Marsh on behalf of Creditor Prosight Specialty Management Company Inc.  
Gary.Marsh@dentons.com, pam.matthews@dentons.com  
Gary W. Marsh on behalf of Creditor New York Marine and General Insurance Company  
Gary.Marsh@dentons.com, pam.matthews@dentons.com  
Gary W. Marsh on behalf of Defendant Prosight Specialty Management Company Inc.  
Gary.Marsh@dentons.com, pam.matthews@dentons.com  
Gregory M. Taube on behalf of Creditor American International Group, Inc.  
greg.taube@nelsonmullins.com, ayo.uboh@nelsonmullins.com;cynthia.harris@nelsonmullins.com  
Gus H. Small on behalf of Plaintiff American Underwriting Services, LLC  
gsmall@smallherrin.com, klemons@smallherrin.com  
Gus H. Small on behalf of Debtor American Underwriting Services, LLC gsmall@smallherrin.com,  
klemons@smallherrin.com  
Henry F. Sewell, Jr. on behalf of Trustee S. Gregory Hays hsewell@sewellfirm.com,  
hsewell1123@yahoo.com  
IPFS Corporation lisa.chandler@ipfs.com  
Jay W. Hurst on behalf of Creditor Texas Comptroller of Public Accounts  
jay.hurst@oag.texas.gov, sherri.simpson@oag.texas.gov

District/off: 113E-9

User: kpc2  
Form ID: pdf526

Page 2 of 2  
Total Noticed: 1

Date Rcvd: Dec 13, 2018

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

John T. Sparks, Sr. on behalf of Creditor American Southern Insurance Company  
jspark@austinsparks.com, tguise@austinsparks.com; aharris@austinsparks.com  
Kenneth Bradley Franklin on behalf of Creditor ACE American Insurance Company  
kbfranklin@duanemorris.com, jpwagner@duanemorris.com  
Leslie M. Pineyro on behalf of Creditor Colonial Insurance Services, LLC  
lpineyro@joneswalden.com,  
jwdistribution@joneswalden.com; ljones@joneswalden.com; mvining@joneswalden.com; cmccord@joneswalden.com; arich@joneswalden.com; ewooden@joneswalden.com  
Lindsay P. S. Kolba on behalf of U.S. Trustee Daniel M. McDermott lindsay.p.kolba@usdoj.gov,  
lisa.maness@usdoj.gov  
Lisa McVicker Wolgast on behalf of Creditor American Southern Insurance Company  
lwolgast@mmmlaw.com  
Matthew G. Moffett on behalf of Creditor Lloyds of London/Tyser & Co. Ltd. mmoffett@grsmb.com,  
ebowlin@grsmb.com; jwasick@grsmb.com  
S. Gregory Hays ghays@haysconsulting.net, saskue@haysconsulting.net; GA32@ecfcbis.com  
Scott B. Riddle on behalf of Creditor American Millennium Insurance Company, Inc.  
scott@scottriddlelaw.com, admin@scottriddlelaw.com

TOTAL: 26